

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24385 of 2023

In
CRIMINAL APPEAL (SJ) No.1811 of 2022

Arising Out of PS. Case No.-333 Year-2021 Thana- MADANPUR District- Aurangabad

Amit Kumar S/O Uday Singh @ Uday Kumar Singh R/O Village-
Phulwariya, P.S.- Madanpur, Distt- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Preeti Kumari Daughter of Anil Kumar Ram R/o Village- Phulwariya, P.S.-
Madanpur, Distt- Aurangabad.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shailendra Kumar Singh Mr. Ajay Kumar Tiwari
For the State	:	Mr. Dilip Kumar No. 1
For the Complainant	:	Mr. Akhilesh Kr. Sinha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 16-08-2023 Heard learned counsel for the petitioner, learned
counsel for the complainant/informant and learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 341, 323,
504, 354 of the Indian Penal Code, Section 08 of the POCSO
Act and Section 3(r)(s), 2(v)(a) of the SC/ST (POA) Act.

3. Petitioner along with other accused persons are said
to have tried to insult and outrage modesty of the complainant.
When the mother of the complainant tried to save her, the
accused persons also tried to molest her, due to which she
became half-naked.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the instant case is counter blast of Mahila P.S. Case No. 34 of 2021 in which police arrested the brother of the complainant/informant for an occurrence of rape with the cousin sister of the petitioner. He submits that there is no specific overt act against the petitioner. There is no injury on the person of the complainant and or her mother Sharda Devi. He submits that there is five days delay in filing the complaint case. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

5. Learned APP for the State and learned counsel for the complainant/informant opposing the prayer for bail submit that the petitioner is the master mind of the occurrence.

6. Considering the facts and circumstances of the case and also the fact that there is no specific overt act against the petitioner, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is



pending/successor court in connection with Madanpur P.S.
Case No. 333 of 2021, subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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